

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

DERRICK DEXTER COLEY,

Petitioner,

v.

PETE SMITH, SHERRIFF, et al.,

Respondents.

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CASE NO.: 1:09-CV-107 (WLS)

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Claude W. Hicks, Jr., filed September 8, 2010. (Doc. 53). It is recommended that Defendants' Motions for Summary Judgment (Doc. 28 and Doc. 30) be granted.

The Report and Recommendation provided the Parties with fourteen (14) days to file written objections to the recommendations therein. (Doc. 53). The period for objections expired on Wednesday, September 22, 2010; no objections have been filed to date. (See Docket).

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 53) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Defendants' Motions for Summary Judgment (Doc. 28 and Doc. 30) are **GRANTED**.

SO ORDERED, this 24th day of September, 2010.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**